

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARL ZEISS MEDITEC, INC.,

Plaintiff,

v.

INSIGHT PHOTONIC SOLUTIONS, INC.,

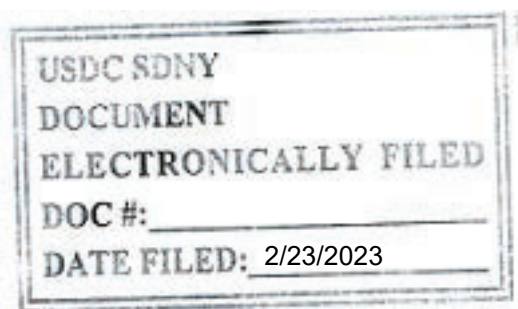
Defendant.

Civil Action No. 7:20-cv-
07667(NSR)(JCM)

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Paul H Schwartz dated December 13, 2022, and the exhibits attached thereto; the accompanying Declaration of Mathew W. Wester dated December 12, 2022, and the exhibit attached thereto; the accompanying Declaration of Doug Zahn dated December 12, 2022; the Memorandum of Law in Support of Defendant's Motion for Summary Judgment dated December 14, 2022; and the Statement of Undisputed Material Facts Pursuant to Fed. R. Civ. P. 56(c) & Local Civil Rule 56.1 dated December 14, 2022, Defendant Insight Photonic Solutions, Inc. ("Insight"), is moving for an order pursuant to Fed. R. Civ. P. 56, granting summary judgment on Plaintiff Carl Zeiss Meditec, Inc.'s ("Zeiss") claims in the Amended Complaint on the ground that there are no material facts in dispute and Insight is entitled to summary judgment as a matter of law.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Memorandum Endorsement dated November 9, 2022 (ECF Doc. 58), all motion papers will be served on the dates set forth in that Endorsement and all motion papers will be filed on February 10, 2023.



Dated: December 14, 2022

SHOEMAKER GHISELLI + SCHWARTZ LLC

/s/ Paul H. Schwartz

Paul H. Schwartz
Cynthia Mitchell
1811 Pearl Street
Boulder, Colorado 80302
Phone: (303) 530-3452
Fax: (303) 530-4071
pschwartz@sgslitigation.com
cmitchell@sgslitigation.com

CARTER LEDYARD & MILBURN LLP

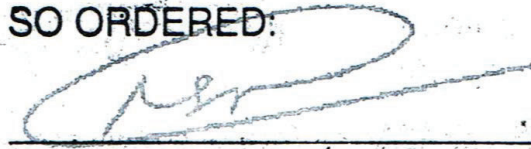
Michael H. Bauscher
28 Liberty Street
New York, New York 10005
Phone: (212) 732-3200
Fax: (212) 732-3232
bauscher@clm.com
Attorneys for Insight Photonic Solutions Inc.

To:
DORSEY & WHITNEY LLP
Daniel P. Goldberger
Kaleb McNeely
51 West 52nd Street
New York, New York 10019
goldberger.dan@dorsey.com
mcneely.kaleb@dorsey.com
Telephone: (212) 415-9200
Attorneys for Plaintiff Carl Zeiss Meditec, Inc.

The Court denies this motion at ECF No. 60 as duplicative of the motion at ECF No. 61. Clerk of Court is requested to terminate the motion at ECF No. 60.

**Dated: White Plains, NY
February 23, 2023**

SO ORDERED:


**HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE**

CERTIFICATE OF SERVICE

This is to certify that on December 14, 2022, the foregoing **NOTICE OF MOTION FOR SUMMARY JUDGMENT** was provided electronically and in hard copy to the Court and served, electronically and in hard copy, on all parties of record in this matter.

/s/ Annika Tinto
By: Annika Tinto